

BILL NO. 83-73  
AS AMENDED

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

BILL NO. 83-73 (AS AMENDED)

Introduced by Council Member Schafer

Legislative Day No. 83-38 Date December 20, 1983

AN ACT to repeal and re-enact with amendments, Subsection (3), heading, Cottage Houses, of Subsection (f), heading, Residential Uses, of Section 25-8.3., heading, Standards For Specific Special Exceptions, of Article II, heading, Zoning Code, of Chapter 25, heading, Zoning, of the Harford County Code, as amended, to redefine requirements for Cottage House Use; to provide for additional regulations for said Use; and to generally provide for Cottage House Use in certain zoning districts.

By the Council, December 20, 1983

Introduced, read first time, ordered posted and public hearing scheduled

on: January 17, 1984

at: 6:00 P.M.

By Order: Angela Markowski, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on January 17, 1984 and concluded on January 17, 1984.

Angela Markowski, Secretary

PLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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1 Section 1. *Be It Enacted By The County Council of Harford County,*  
2 *Maryland,* that Subsection (3), heading, Cottage Houses, of  
3 Subsection (f), heading, Residential Uses, of Section 25-8.3.,  
4 heading, Standards For Specific Special Exceptions, of Article II,  
5 heading, Zoning Code, of Chapter 25, heading, Zoning, of the  
6 Harford County Code, as amended, be, and is hereby repealed and  
7 re-enacted with amendments, all to read as follows:

8 Chapter 25. Zoning.

9 Article II. Zoning Code.

10 Section 25-8.3. Standards For Specific Special Exceptions.

11 The Special Exceptions enumerated herein in addition to other  
12 conditions as may be imposed by the Board shall comply with the  
13 following requirements:

14 (f) Residential Uses.

15 (3) Cottage Houses. A second dwelling on a single lot may  
16 be granted in the AG, RR, R1, R2, R3, R4, and VR districts pro-  
17 vided that:

18 (a) The second dwelling shall be of a temporary nature.  
19 [, so as to be removable when the need shall cease and] THE USE  
20 SHALL TERMINATE AND THE DWELLING SHALL BE REMOVED WITHIN SIXTY (60)  
21 DAYS WHEN THE NEED NO LONGER EXISTS OR IF THE PRIMARY PARCEL IS  
22 TRANSFERRED OR ASSIGNED. THE SECOND DWELLING shall be occupied  
23 by a GRANDPARENT, PARENT, CHILD, BROTHER OR SISTER , AUNT OR UNCLE  
24 [relative] of the [family owning and] OWNER AND RESIDENT, residing  
25 on the [lot] PRIMARY PARCEL.

26 (b) The occupant of [either] the temporary second  
27 dwelling [or principal dwelling] shall be more than [fifty-five  
28 (55)] SIXTY-TWO (62) years old, or have a DISABLING PHYSICAL OR  
29 MENTAL condition which requires CONTINUED care and attention.

30 (c) [A] THE PRIMARY PARCEL SHALL BE A minimum [parcel]  
31 area of fifteen thousand (15,000) square feet [shall be established  
32 and the building]. THE COTTAGE HOUSE shall meet the setbacks for

1 accessory buildings.

2 (d) If such dwellings are mobile homes, skirting of a  
3 compatible material shall substitute for a foundation.

4 (e) The applicant shall submit to the Zoning  
5 Administrator a [certificate of] STATEMENT FROM A PHYSICIAN AS TO  
6 THE continued need based on the original approval every two (2)  
7 years. WITHIN SIXTY (60) DAYS PRIOR TO THE EXPIRATION OF THE TWO  
8 (2) YEAR APPROVAL PERIOD, THE DEPARTMENT SHALL NOTIFY THE APPLICANT  
9 THAT THE COTTAGE HOUSE APPROVAL WILL EXPIRE AT THE END OF THE  
10 APPROVAL PERIOD. FAILURE OF THE APPLICANT TO PROVIDE THE DEPARTMENT  
11 WITH A STATEMENT FROM A PHYSICIAN WILL RESULT IN TERMINATION OF  
12 THE COTTAGE HOUSE APPROVAL. TO RE-ESTABLISH COTTAGE HOUSE APPROVAL  
13 THE APPLICANT SHALL OBTAIN BOARD OF APPEAL APPROVAL.

14 (f) PRIOR TO THE DEPARTMENT OF PLANNING AND ZONING  
15 ACCEPTING AN APPLICATION FOR COTTAGE HOUSE, THE APPLICANT SHALL  
16 PROVIDE THE DEPARTMENT WITH A CERTIFICATE OF APPROVAL FROM THE  
17 DEPARTMENT OF HEALTH AND MENTAL HYGIENE, APPROVING THE COTTAGE  
18 HOUSE. PROVIDE THE DEPARTMENT WITH A LETTER OF APPROVAL FROM THE  
19 HARFORD COUNTY DEPARTMENT OF HEALTH, STATING THAT THE WATER AND  
20 SEWER FACILITIES FOR THE COTTAGE HOUSE MEET STATE HEALTH DEPARTMENT  
21 REQUIREMENTS.

22 (g) COTTAGE HOUSE APPROVAL SHALL NOT BE GROUNDS OR  
23 EVIDENCE FOR HARDSHIP FOR FUTURE USE VARIANCE.

24 Section 2. *And Be It Further Enacted* that this Act shall take  
25 effect sixty (60) calendar days from the date it becomes law.

26 EFFECTIVE: April 10, 1984  
27  
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AS AMENDED

BY THE COUNCIL

BILL NO. 83-73 (as amended)

Read the third time.

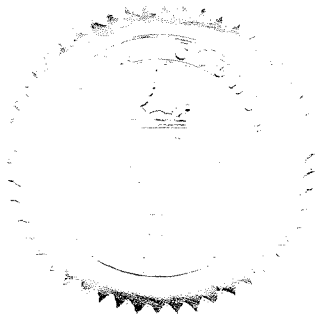
Passed LSD 84-4 (February 7, 1984) (with amendments)

Failed of Passage \_\_\_\_\_

By order

Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive  
for his approval this 8th day of February, 19 84  
at 3:00 o'clock P.M.



Angela Markowski, Secretary

BY THE EXECUTIVE

APPROVED:

Georgia Hodson for Holburn Freeman  
County Executive

Date 2/10/84

BY THE COUNCIL

This Bill (No. 83-73, as amended), having been approved by  
the Executive and returned to the Council, becomes law on  
February 10, 1984.

Angela Markowski, Secretary

EFFECTIVE: April 10, 1984

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